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C O N F I D E N T I A L SECTION 01 OF 02 TUNIS 000894

SIPDIS

DEPT FOR NEA/MAG (LAWRENCE), H, AND DRL/PHD
PARIS FOR ZEYA

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TAGS: [PHUM](#) [PGOV](#) [KMPI](#) [KJUS](#) [TS](#) [ICRC](#)
SUBJECT: ICRC REACHES AGREEMENT ON PRISON VISITS WITH GOT

REF: A. TUNIS 406
B. TUNIS 405
C. TUNIS 306
D. 04 TUNIS 1960
E. 04 TUNIS 707
F. 04 TUNIS 208

Classified By: Ambassador William J. Hudson for reasons 1.4(b/d)

[11.](#) (SBU) Summary: After a year of negotiations, the GOT signed an agreement with the ICRC to allow prison visits. This is a highly significant development for the human rights situation in this country. End Summary

ICRC Announces Final Agreement On Tunisian Prison Visits

[12.](#) (U) The ICRC issued the following communique late in the afternoon on April 28:

"Following a constructive dialogue, the International Committee of the Red Cross (ICRC) and the Tunisian authorities signed an agreement on 26 April governing the ICRC's humanitarian activities in Tunisia.

"Under the agreement, the ICRC will be able to regularly visit all places of detention in Tunisia in accordance with its customary working procedures. The purpose of the visits will be to assess the conditions of detention and the treatment of persons deprived of their freedom. The resulting reports will be submitted exclusively to the Tunisian authorities and will serve as the basis for a dialogue intended to ensure that those deprived of their freedom enjoy conditions and treatment in keeping with human dignity.

"The visits will begin in the near future and will be organized by the ICRC's regional delegation in Tunis."

Background and Scoop

[13.](#) (SBU) This agreement comes just over one year since the Minister of Justice announced April 20, 2004 that the GOT had "no objection to international organizations, such as the ICRC, visiting Tunisian jails, especially since the ICRC is known for its impartiality and independence." 04 Tunis 707 For months local ICRC representatives and GOT officials have each been expressing strong optimism that the agreement would be concluded. It is unclear when the first (and then subsequent) visits will take place, but we assume they will begin soon.

[14.](#) (C) Deputy ICRC representative in Tunis Marc Bouvier (in transit to Algiers), returned poloff's call and confirmed that the agreement had been reached and that it included not only prisons but also jails and other pre-trial detention facilities. (NB: Experts say the latter is where many of the biggest problems lie, both in terms of material conditions of the facilities and treatment of prisoners. The Ministry of Justice and Human Rights run Tunisian prisons whereas the Ministry of Interior controls jails.) Bouvier previously indicated that Interior has been responsible for the longest delays in reaching an agreement 04 Tunis 1960 however, he confirmed that both Interior and Justice signed off on the final agreement, which he said includes all the necessary modalities. Bouvier said the agreement allows ICRC to visit prisoners in solitary confinement and includes the goal of the eventual elimination of that practice. Overall, Bouvier summed up his feelings about the agreement with one word, "Relief!"

Comment

[15.](#) (SBU) The USG has raised the issue of a GOT/ICRC agreement intermittently since 1992, but revived efforts to encourage an agreement during preparations for President Ben Ali's February 2004 visit to Washington. ICRC prison visits were one of a half dozen deliverables that former DRL A/S Craner asked the GOT to undertake in January 2004 (04Tunis208). Senior State Department officials raised it in February with President Ben Ali in Washington. One month after the President's return to Tunisia, the GOT contacted the ICRC to re-open talks. It took an entire year for the ever-cautious

GOT to reach final agreement (again, probably because of foot dragging at Interior). ICRC regional staff in Tunis have repeatedly thanked the USG for our assistance on this issue. Nevertheless, our work is not yet done: it remains to be seen how the GOT reacts to actual prison visits and the confidential dialogue with the ICRC that ensues.

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16. (U) These positive responses are extremely noteworthy. We believe this development is precisely the sort of progress for which the USG should praise the Tunisian government publicly.

HUDSON